

AO 148
(Rev. 6/88)

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Merck & Co., Inc.

-VERSUS-

Apotex, Inc.

) Appeal from ☒ U.S. District Court for District of Delaware
☐ Court of International Trade
☐ Claims Court

) TRIAL COURT NO. C.A. No. 06-230 (GMS)

) CIRCUIT COURT NO. _____

TRANSCRIPT PURCHASE ORDER

(See Rules 10(b) and 11(b) of the Federal Rules of Appellate Procedure)

PART 1 - TO BE COMPLETED BY APPELLANT WITHIN 10 DAYS OF FILING OF NOTICE OF APPEAL.

Copies to be distributed by appellant as follows: Copies 1, 2, and 3 to court reporter; Copy 4 to Trial Court; Copy 5 to appellee; Copy 6 retained by appellant.

A. Complete one of the following:

- ☐ A transcript is not needed for the appeal
☒ A transcript is already on file
☐ Request is hereby made to the reporter for a transcript of the following proceedings (give particulars):
 Note: voir dire and closing arguments are not prepared unless specifically requested.

Note: Unless the entire transcript is ordered, appellant must attach a statement of the issues to Copies 4 and 5.

B. I certify that financial arrangements have been made with the reporter. Payment is by:

- ☐ Private funds
☐ Government expense (civil case). A motion for transcript has been submitted to the trial judge.

SIGNED *James J. Downes* Date 5/18/2007 COUNSEL FOR Apotex, Inc.

ADDRESS Hercules Plaza, 1313 N. Market Street, 6th Floor, Wilmington, DE 19801

TELEPHONE (302) 984-6000

PART II - TO BE COMPLETED BY COURT REPORTER.

Copy 1 and 3 retained by the reporter; Copy 2 to be transmitted to the Court of Appeals on same date transcript order is received.

Date Purchase Order received: _____

Estimated completion date: _____

Estimated number of pages: _____

I certify that satisfactory financial arrangements ☐ have ☐ have not been completed with appellant for payment of the cost of the transcript.

Signature

Date

Telephone:

PART III-NOTIFICATION THAT TRANSCRIPT HAS BEEN FILED IN THE TRIAL COURT.

(To be completed by court reporter on date of filing transcript in Trial Court and this notification must be forwarded to Court of Appeals on same date.)

This is to certify that the transcript has been completed. _____ volumes of transcript have been filed with the Trial Court today.

Date

(Signature of Court Reporter)

DISTRIBUTION: COURT REPORTER (3 copies), TRIAL COURT, TRIAL, APPELLANT

(Two of Court Reporter's copies are for completion of Part II and Part III and transmittal to Clerk, U.S. Court of Appeals, Federal Circuit, 717 Madison Place, N.W. Washington, D.C. 20439.)